

Crawley Borough Council

Minutes of Planning Committee

3 January 2017 at 7.30pm

Present:

Councillor	I T Irvine (Chair)
Councillor	C Portal Castro (Vice-Chair)
Councillors	B J Burgess, D Crow, F Guidera, K L Jaggard, S J Joyce M Pickett, T Rana, A C Skudder, P C Smith, M A Stone and J Tarrant.

Officers Present:

Ann-Maria Brown	Head of Legal and Democratic Services
Roger Brownings	Democratic Services Officer
Valerie Cheesman	Principal Planning Officer
Jean McPherson	Group Manager (Development Management)
Clem Smith	Head of Economic and Environmental Services

Apologies for Absence:

Councillors R S Fiveash and B McCrow.

47. Lobbying Declarations

The following lobbying declarations were made by Members:-

Councillor Stone had been lobbied regarding application CR/2016/0795/FUL.
Councillors Pickett and Tarrant had been lobbied regarding applications
CR/2016/0838/FUL and CR/2016/0839/FUL.
Councillor B J Burgess had been lobbied regarding application CR/2016/0857/FUL.

48. Members' Disclosure of Interests

The following disclosures of interests were made by Members:-

Member	Minute Number	Subject	Type and Nature of Disclosure
Councillor P C Smith	Minute 50	CR/2016/0501/FUL. Wingspan Field and Part of Donkey Field, Betts Way, Langley Green, Crawley.	Personal Interest as he was a Local Authority Director of the Manor Royal Business Improvement District and was the Cabinet

Member	Minute Number	Subject	Type and Nature of Disclosure
			Member for Planning and Economic Development.
Councillor P C Smith	Minute 50	CR/2016/0502/FUL. Donkey Field, Betts Way, Langley Green, Crawley.	Personal Interest as he was a Local Authority Director of the Manor Royal Business Improvement District and was the Cabinet Member for Planning and Economic Development.
Councillor P C Smith	Minute 50	CR/2016/0722/FUL Land at Faraday Road, Northgate, Crawley	Personal Interest as he was a Local Authority Director of the Manor Royal Business Improvement District and was the Cabinet Member for Planning and Economic Development.
Councillor P C Smith	Minute 50	CR/2016/0820/FUL Fleming House, Fleming Way, Northgate, Crawley	Personal Interest as he was a Local Authority Director of the Manor Royal Business Improvement District and was the Cabinet Member for Planning and Economic Development.
Ann-Maria Brown, Head of Legal and Democratic Services	Minute 50	CR/2016/0838/FUL. 5 Perryfield Road, Southgate, Crawley.	Personal Interest - knew one of the objectors who was addressing the Committee on this application. Ann-Maria Brown left the meeting before the presentation and took no part in the discussion on the item.
Ann-Maria Brown, Head of Legal and Democratic Services	Minute 50	CR/2016/0839/FUL. 13 Perryfield Road, Southgate, Crawley.	Personal Interest - knew one of the objectors who was addressing the Committee on this application. Ann-Maria Brown left the meeting before the presentation and took no part in the discussion on the item.

49. Minutes

The minutes of the meeting of the Committee held on [5 December 2016](#) were approved as a correct record and signed by the Chair.

50. Planning Applications List

The Committee considered report [PES/212](#) of the Head of Economic and Environmental Services.

RESOLVED

That in respect of the applications specified below, details of which are more particularly set out in report [PES/212](#) of the Head of Economic and Environmental Services and in the Register of Planning Applications, the decisions be given as indicated:-

Item 001

CR/2016/0501/FUL.

Wingspan Field and Part of Donkey Field, Betts Way, Langley Green, Crawley.

Creation of a car park to provide up to 401 spaces for use in conjunction with Nova and Astral Towers.

Councillors K L Jaggard, M Pickett, A C Skudder, M A Stone and J Tarrant declared they had visited the site.

The Group Manager (Development Management) provided a verbal summation of the application. In so doing the Committee was referred to the fact that this application was one of two submitted to this meeting seeking planning permission to provide two surface level car parks to provide parking facilities for a consented development on the neighbouring Astral Towers and Nova office Site. (The second application is considered as Item 002 in these minutes). The development of this site for the provision of parking had been proposed as the previously approved multi-storey car park was not considered financially viable, and this alternative proposal could bring forward the proposed high-quality Class A Nova office development for which there was an acknowledged need in this part of the Borough. The proposals as set out in detail within the report would seek to safeguard the availability of 1,022 parking spaces, being broadly in line with the approved Nova development. In order to ensure delivery of those spaces, the Applicant proposed to enter into a Section 106 Agreement with the Local Planning Authority to ensure, for example, that:

- Should permission be granted for this and the second application submitted to this meeting, only level parking would be constructed (to provide up to a maximum of 1022 spaces), and;
- Should permission only be granted for this application, level parking and a single deck car park would be constructed (to provide up to a maximum of 1022 spaces),
- That the parking would only be provided in connection with the delivery of the office development.

The aspirations of bringing forward the proposed high-quality office development through the provision of the proposed parking spaces needed to be balanced against all planning considerations (as set out above and in the report), particularly the fact that provision of the car park would lead to the loss of the potential future employment

site on the Wingspan Field. However, it was reported that the developer had offered a number of assurances in an attempt to address all issues raised by both applications submitted, and it was emphasised that these assurances would need to be realised if the development was to be acceptable and obligations secured via a S106 Agreement and the planning conditions.

The Agent, Mr Peter Rainier, addressed the Committee in support of the application.

The Committee then considered the application. In response to issues raised by the Committee, Officers acknowledged that the proposed use of the site for surface car parking was not an efficient use of land in the context of Local Plan Policy CH4 and that the extant proposal would accommodate the required parking more efficiently through a multi-storey car park. However, the applicant had supplied further evidence, which has been independently assessed, that demonstrated that the multi-storey car park as originally permitted was no longer considered to be viable, and this alongside the loss of potential new floorspace at Wingspan should this application be approved, had to be balanced against the potential delivery of around 11,000 sq m of Grade A office space.

Permitted subject to the completion of a Section 106 Legal Agreement and the conditions set out in report [PES/212](#).

Item 002

CR/2016/0502/FUL.

Donkey Field, Betts Way, Langley Green, Crawley.

Creation of a temporary (up to 15 years) car park to provide up to 265 spaces for use in conjunction with Nova and Astral Towers.

Councillors K L Jaggard, A C Skudder, M A Stone and J Tarrant declared they had visited the site.

The Group Manager (Development Management) provided a verbal summation of the application. The Committee was advised that, as fully detailed in the report, this current application along with a further application for the Wingspan Field and part of the Donkey Field (CR/2016/0501/FUL – item 001 in the minute above refers), were intended to make up the shortfall in car parking facilities that would result if the multi storey car park as originally proposed for the consented development on the neighbouring Astral Towers and Nova office Site was not provided. This application site was partially within the Gatwick Airport Safeguarded Land as defined by the Crawley Local Plan 2015-2030. The development of this site for the provision of parking facilities had been proposed in light of further evidence demonstrating the non-viability of the originally permitted multi-storey car park, and in order to bring forward the proposed high-quality Class A Nova office development for which there was an acknowledged need in that part of the Borough. However, in taking this application forward consideration had to be given to all the other planning considerations as set out above and in the report, with particular reference made to safeguarding objection raised by Gatwick Airport Limited (GAL) in relation to the conflict with Policy GAT2 of the Crawley Borough Local Plan 2015-2030.

The Agent, Mr Peter Rainier, addressed the Committee on this application. In supporting the application Mr Rainier indicated that following the publication of the report, he and the Applicant had been in dialogue with GAL to seek to overcome GAL's safeguarding objection. Mr Rainier also indicated that GAL were willing to consider the representations made, and requested the Committee to defer its

consideration of this application until further discussions between the Applicant, GAL and Officers had concluded.

The Committee then considered the application. With particular reference made to the Agent's request to defer the application, Members sought the Officer's advice as to how this application should be moved forward. In response, the Group Manager emphasised that this was the first she had heard of the further dialogue between the Applicant and GAL, and offered the following options in terms of resolving the application:

- The Committee could make a decision at this meeting (in line with the Officer's recommendation) to refuse the application, bearing in mind that a decision to refuse would still enable the Applicant to lodge an appeal or resubmit a new application.
- As suggested by the agent, it would not be appropriate for a decision to be made to delegate to Officers with a view to permit the application, in the absence of any information and with the current objection from GAL as, based on the current information available, the application would have to be referred to the CAA.
- The Committee could defer the application to enable the Officers and Applicant to undertake further consideration around the Local Plan Policy GAT2, with the report then referred back to the Committee for its consideration.

The Committee considered the options provided.

Refused for the reason set out in report [PES/212](#)

Item 006

CR/2016/0838/FUL.

5 Perryfield Road, Southgate, Crawley.

Change of use to 7 no. self-contained temporary accommodation units for the homeless with communal kitchen (amended plans and documents received).

Councillors K L Jaggard, M Pickett, M A Stone and J Tarrant declared they had visited the site.

The Principal Planning Officer provided a verbal summation of the application. She confirmed that permission was sought for change of use of the existing drop-in centre and training facility (C2) to form seven self-contained temporary accommodation units for the homeless (with a shared communal kitchen and other facilities) to form a hostel. The residents of the hostel would be homeless people on the Housing Register and seeking permanent housing. On average, it was expected that a resident would be in occupation for between 12-15 months in the hostel. The proposed hostel would be occupied by a maximum of sixteen residents in total. The proposal was intended to make a significant contribution towards meeting acute local housing needs.

Mrs Camille McCabe spoke in objection to the application. She emphasised that many of her concerns also applied to the similar application CR/2016/0839/FUL, to be considered later at this meeting regarding No. 13 Perryfield Road (Item 007 in the minutes below refers).

The Committee then considered the application. The Committee acknowledged the concerns raised in objection, including those raised by Mrs McCabe, notably those made on the grounds of: there was too much temporary accommodation in the vicinity

which affected the residential nature of the locality, loss of privacy, safety and anti-social behaviour and site management. Members' responses on the issues raised were as follows:

- Whilst it was acknowledged that the Council had a duty to help meet the acute housing needs in Crawley, many Members agreed that there was a disproportionate concentration of hostel accommodation in the area, impacting on its residential nature.
- Concerns regarding the potential for anti-social behaviour.
- Reference made to the proposed hostels as being Houses in Multiple Occupation (HMOs), and the view reiterated that such a concentration in particular in Perryfield Road contravened Policy H6 of the Local Plan and Southgate was specifically referred to in the policy.
- That the property would be better served by housing a large family from the Housing Waiting List, whilst others felt that the property was more suited to aspirational housing.

In response to issues raised, the Principal Planning Officer:

- Referred to the definition of a HMO as set out in Policy H6 of the Local Plan, and in so doing compared, for example, arrangements for the use of facilities in HMO's with that of the hostels proposed. It was explained that the key distinction between the hostel and HMO was the level of management and that hostels were more actively managed. In the case of HMOs, the occupiers would share facilities, whilst with the proposed hostels each would have en-suite facilities (shower, WC and basin), and a kitchenette area. There would be a communal kitchen and bathroom on the ground floor, for an element of choice. Development would have to meet its own operational needs including parking, but there was no required set percentage in terms of the number multi occupation properties per locality or area.
- Advised that to enable appropriate management of the hostel and to reduce any adverse impact upon adjoining residents, all occupiers would have to enter into a Licence Agreement with Crawley Borough Council and comply with various requirements, including measures to limit noise and other potential disturbance. Management to be controlled via the S106 Agreement.
- Advised that eviction was an option should those requirements be breached. Thus the Applicant had addressed most issues raised by the objectors in terms of potential anti-social behaviour through the proposed site management plan.
- The current former use of the building was a drop in centre and it was considered that the character of Perryfield Road was a mix of uses and dwelling types.

The Committee considered carefully the application information and the issues and concerns raised, and was of the view that in line with Policy H6 of the Local Plan (Houses in Multiple Occupation), the application would lead to an excessive concentration of HMOs in the locality and Perryfield Road.

The Officer's recommendation to permit was overturned.

It was then moved to refuse planning permission for the following reasons:

- (i) that the application would contribute to excessive concentrations of HMOs.
- (ii) the cumulative impact this would have upon the character of the area cited in the application and on the amenity and privacy of neighbouring properties as a result of the noise emanating from outside of the property due to its intensity of occupation.

This was seconded, and a vote was taken.

Refused for the following reason:

The proposed change of use would intensify the use of No. 5 Perryfield Road and would create a concentration of hostel accommodation and houses in multiple occupation in the locality causing an adverse impact upon residential amenity, due to increased activity, movements to/from the property and general disturbance, and as such would be contrary to policies CH3 and H6 of the Crawley Borough Local Plan 2015-2030.

Item 007

CR/2016/0839/FUL.

13 Perryfield Road, Southgate, Crawley.

Change of use to 3 no. self-contained temporary accommodation units for the homeless with communal kitchen facilities (amended plans and documents received). Councillors K L Jaggard, M Pickett, M A Stone and J Tarrant declared they had visited the site.

The Principal Planning Officer provided a verbal summation of the application. It was reported that permission was sought for change of use of an existing residential dwelling (C3) to 3 No. self-contained temporary accommodation units for homeless families, with shared communal facilities to form a proposed hostel. There would be a single communal kitchen with utility room on the ground floor. The residents of the hostel would be homeless people on the Housing Register and seeking permanent housing. On average, it was expected that a resident would be in occupation in the hostel for between 12-15 months. The proposal was intended to make a significant contribution towards meeting acute local housing needs. These were along similar lines to those concerns raised earlier at this meeting regarding the proposed hostel application CR/2016/0838/FUL (Item 006 in the minute above refers). The Committee was advised of the following clerical correction to Condition 9 of the application (Page 87 of the report):-

In the first line, delete the words "The property shall be occupied by a maximum of eleven residents" and replace with "The hostel use hereby permitted shall be occupied by no more than eleven residents....."

Mrs Camille McCabe had already spoken in objection to the application as part of her representations made earlier under application CR/2016/0838/FUL. Miss Sue Henley and Mr Roger Coombes now conveyed their own objections to the application currently under consideration.

The Committee then considered the application. Members recognised the similarity of concerns raised in objection to this hostel application and that application considered earlier at this meeting, particularly those made on the grounds of: there was too much temporary accommodation in the vicinity which affected the residential nature of the locality, Loss of privacy, safety and anti-social behaviour and site management.

The Committee considered carefully the application information and the issues and concerns raised, and as with the earlier hostel application was of the view that in line with Policy H6 of the Local Plan (Houses in Multiple Occupation), the application would lead to an excessive concentration of HMOs in the locality and Perryfield Road.

The Officer's recommendation to permit was overturned.

It was then moved to refuse planning permission for the following reasons:

- (i) that the application would contribute to excessive concentrations of HMOs.

(ii) the cumulative impact this would have upon the character of the area cited in the application and on the amenity and privacy of neighbouring properties as a result of the noise emanating from outside of the property due to its intensity of occupation.

This was seconded, and a vote was taken.

Refused for the following reason:

The proposed change of use would intensify the use of No. 13 Perryfield Road and would create a concentration of hostel accommodation and houses in multiple occupation in the locality causing an adverse impact upon residential amenity, due to increased activity, movements to/from the property and general disturbance, and as such would be contrary to policies CH3 and H6 of the Crawley Borough Local Plan 2015-2030.

Item 008

CR/2016/0857/FUL

83 - 87 Three Bridges Road, Three Bridges, Crawley

Demolition of existing local authority hostel accommodation and erection of 10 x one bedroom (2 person) and 4 x two bedroom (4 person) affordable flats with associated parking and landscaping.

Councillors B J Burgess, K L Jaggard, P C Smith, M A Stone and J Tarrant declared they had visited the site.

The Principal Planning Officer provided a verbal summation of the application. The application sought permission to demolish the existing three buildings and erect two replacement buildings. Following revisions to the scheme, fourteen car parking spaces were proposed in the rear garden along with a cycle shelter and refuse/recycling bin enclosure. The redevelopment would provide fourteen new affordable housing units, helping to address local needs. With regard to Condition 16 (tree protection), the Applicant was keen not to have a pre-commencement condition and the Committee was advised that the wording of that Condition could be amended to reflect this matter if a satisfactory tree protection plan was provided prior to the conclusion of the S106 Agreement.

Mrs Jill Frankham, Mr Martin Brown and Councillor R G Burgess, as a Ward Member for Three Bridges, addressed the Committee in objection to the application.

The Committee then considered the application. The Committee discussed in detail the concerns raised in objection, particularly those made on the grounds of:

- Why hostels were being demolished for flats if there was a need.
- The buildings were out of character with the size and design of houses in this part of Three Bridges Road, would be forward of the existing building line, unsympathetic bricks and three storey was out of character.
- Three Bridges Road had a leafy, pre-new town, low density character and the proposal would be overdevelopment. Increased prominence of site from new access..
- Increased traffic on a dangerous bend in the road. Increased risk of accidents. Development at 95 had been refused. No traffic calming measures proposed. .
- Query on refuse collection arrangements for the development.
- Loss of light to neighbouring windows at 89A. Overlooking and loss of privacy.
- Limited notice of development and consultation with neighbours.

Members acknowledged that the redevelopment would help to address local housing needs, and that they needed to look across the whole town to mitigate that need. However, many Members felt that the proposed buildings were very much out of scale and character with the rest of the area concerned. Various concerns were raised by Members regarding the potential risk to safety from increased traffic movement and from refuse vehicles entering the site, and felt that the proposed development would impact on neighbours, traffic and the area generally. Some Members referred to the refusal of the two applications for hostels considered earlier at this meeting, and felt that in view of those decisions the hostel space forming part of this application needed to be retained. Concerns were also raised regarding the proposed loss of trees.

In response to issues raised, the Principal Planning Officer advised that:

- Following consultations with the Urban Designer the design was considered acceptable and in keeping with the surrounding area.
- The proposed development would not be the furthest forward building along Three Bridges Road.
- The application site was not in a Conservation Area or in an Area of Special Local Character.
- Following consultation with the Local Highway Authority, improved visibility splays had been achieved to improve sightlines for passing traffic. There would be no need for refuse vehicles to park in Three Bridges Road as part of its collection service. Vehicles would turn into the site and come out again in forward gear. With one access point to the proposed site, the Highways Authority considered the proposals acceptable in safety terms.
- Subject to conditions, officers did not consider that significant adverse impact upon neighbours would result from the proposal.
- There were no objections on highways or parking grounds and the site was situated in a sustainable location.
- Ecological issues, tree protection and new landscaping could be secured by condition.
- The trees identified to be removed were considered of poor condition.
- In terms of the concerns regarding limited notice and consultation with neighbours, the event in question was arranged by the Applicant, whilst the Planning Authority had met its requirements in notifying / advertising the application concerned.

The Committee considered carefully the application information and the issues and concerns raised.

At the request of Councillor B J Burgess, and in accordance with Council Procedure Rule 18.5, the names of the Members voting for and against the motion (to permit) and abstentions were recorded as set out below:

For the Proposal (to permit):

Councillors I T Irvine, S J Joyce, M Pickett, C Portal Castro, A C Skudder and P C Smith (6).

Against the Proposal (to permit):

Councillors B J Burgess, D Crow, F Guidera, K L Jaggard, T Rana, M A Stone and J Tarrant (7).

Abstentions:

None.

The Officer's recommendation to permit was therefore overturned.

It was then moved to refuse planning permission for the following reason:

The proposed development, by reason of its size and scale, would be visually dominant in the Three Bridges Road streetscene, out of character with the surrounding area and as such would be contrary to policies CH1, CH2 and CH3 of the Crawley Borough Local Plan 2015-2030 and the Urban Design Supplementary Planning Document.

This was seconded, and a vote was taken.

Refused for the reason set out above.

Item 003

CR/2016/0722/FUL.

Land at Faraday Road, Northgate, Crawley.

Erection of three B8 24 hour operation warehouses, ancillary office, provision of associated car parking, landscaping and security enclosure (amended description).
Councillors K L Jaggard and M A Stone declared they had visited the site.

The Group Manager (Development Management) provided a verbal summation of the application and advised the Committee that amended plans had been received detailing the landscape drawing and layout plans to reflect the changes in the landscaping. The Committee was also advised of the following clerical correction to Condition 18 of the application (Page 48 of the report):-

In the second line, delete the text "XXX" and replace with "GA00001 (revision 9)"

The Group Manager reported that although concerns of the Urban Design officer in terms of the development's frontage to Faraday Road had not been overcome, it was considered that the Applicant had now demonstrated that the landscaping proposals for the site, whilst not strictly according with the Manor Royal Guidance, would (i) create an attractive frontage to the street, (ii) integrate with the development to the north and south of the site and (iii) could result in a positive improvement to landscaping in the public realm in accordance with the aspirations of the Manor Royal SPD.

The Agent, Mr Mr Jonathan Bainbridge, addressed the Committee in support of the application.

The Committee then considered the application. In response to an issue raised by a Member regarding the visual impact of the high security fencing intended, the Committee was informed that further landscaping was proposed either side of the northern site access and along the northern boundary to soften the visual impact (around the front of the unit) of that proposed fencing. Members generally indicated their support for the application and welcomed the further investment being made into the Manor Royal area.

Permitted, subject to S106 Agreement to secure Manor Royal contribution set out in Paragraph 5.18 of the report [PES/212](#), and the conditions listed in the report, including the corrected condition 18 above.

Item 005

CR/2016/0820/FUL

Fleming House, Fleming Way, Northgate, Crawley
Part demolition, conversion and extension of existing building and change of use from industrial (B1, B2 & B8) to form multi-car dealership (sui generis) (amended description).

Councillors K L Jaggard and M A Stone declared they had visited the site.

The Principal Planning Officer provided a verbal summation of the application.

The Applicant, Mr Glen Obee, addressed the Committee in support of the application.

The Committee then considered the application. Members indicated their general support for the application, and welcomed the creation of new jobs arising therefrom. **Approved**, subject to the conditions listed in report [PES/212](#).

Item 004

CR/2016/0795/FUL

5 Dene Tye, Pound Hill, Crawley

Erection of a rear conservatory.

Councillors K L Jaggard, M A Stone and J Tarrant declared they had visited the site.

The Group Manager (Development Management) provided a verbal summation of the application.

The Committee then considered the application.

Permitted, subject to the conditions listed in report [PES/212](#).

**51. The Crawley Borough Units 1-17 Whittle Way, Northgate Tree
Preservation Order No. 15/2016**

The Group Manager (Development Management) introduced report [PES/229](#) which sought to determine whether to confirm this Tree Preservation Order (TPO) with or without modification for continued protection or, not to confirm the TPO.

Having considered the issues raised in the report, the Committee agreed to confirm the TPO without modification.

Confirmed.

52. Closure of Meeting

The meeting ended at 10.19 pm.

I T IRVINE
Chair